

REMARKS

The Examiner's Office Action mailed April 29, 2009, which required an election due to a restriction requirement, has been reviewed. Applicants submit the above amendments and following remarks are responsive to all points raised therein.

Status of Claims

Claims 1-3, 5 and 9 are pending in the application. Claims 4, 8, and 10 have been withdrawn. No new matter has been added.

Restriction Requirement

An election between the following species for prosecution on the merits was requested by the Examiner: Group I, claims 1-3, 5, and 9, drawn to compounds of Formula (I), Group II, claim 4, drawn to methods of making the compound of Formula (I), and Group III, claims 8 and 10, drawn to methods of treatment using the compounds of Formula (I).

Applicants hereby elect to prosecute the claims of Group I drawn to compounds of Formula (I). This election is represented by claims 1-3, 5, and 9. Applicants reserve the right to file divisional applications directed to the subject matter of the non-elected claims.

Conclusion

Applicants respectfully submit that the pending claims are now in form for review.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment in connection with this amendment to Deposit Account No. 50-4260.

Respectfully submitted,

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